REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	22 December 1997
Name of applicant/court:	Comptroller of Customs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Born to Raise Hell/ Untitled
Other Known Titles:	Video Tape 18 Born to Raise Hell
Director:	Roger Earl (Born to Raise Hell)
Producer:	Not Stated
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Video Recording VHS/NTSC
Country of Origin:	Not Stated
Language:	English

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Components of film originally examined:

Feature:	Born to Raise Hell	Running time:	78.29
	Untitled		35.53
Trailers:	Marathon Films Notice	Running time:	0.13
	Psychological Disclaimer Notice		0.24
	Marathon Films Notice		0.19
	Untitled		6.15
	"Great Canadian Shorts Contest" Notice		0.07
	"5th Annual Great Canadian Shorts" Notice		0.16
		Total Running time:	121.56

Excision/Alteration: No.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Objectionable.

Display conditions:

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Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has not been given.

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SUMMARY OF THE REASONS FOR DECISION:

The video recording *Born to Raise Hell/ Untitled* is classified as:
Objectionable.

The video recording contains two main components which present explicit male to male sexual activity. The first, *Born to Raise Hell*, contains three scenes, while the second, which is untitled, contains one scene.

The content of the two main components promotes and supports the use of violence and coercion to compel men to participate in and submit to sexual conduct and the use of urine in association with degrading and sexual conduct. The publication is therefore deemed objectionable in accordance with s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act).

Coercion and/or violence are present throughout both main components. In the first component this takes the form of men being hit, slapped, and whipped and forced to engage in sexual activity including anal intercourse and fellatio. Of particular impact is a scene in which a male is hit until he vomits and is then tied up and raped with a police baton. The second untitled main component carries on with the theme of coercion by presenting a scenario in which a naked male is led around and tied up by a second male who engages in sexual activity with his captive. The use of urine features on five occasions in the first component.

Excisions have been considered but are thought to be impractical due to the extent to which the publication presents sexual conduct of a violent and coercive nature.

This video recording has been found to promote and support two activites listed in s3(2) of the FVPC Act. This provision overrides the New Zealand Bill of Rights Act 1990 (NZBR Act) because it is a deeming provision which cannot be given a meaning that is consistent with the rights and freedoms set out in s14 of the NZBR Act.

OFLC Ref: 9700310